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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,585	01/04/2002	Wilfred Brake	10016219-1	2328

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EXAMINER

GAGLIOSTRO, KEVIN M

ART UNIT PAPER NUMBER

2615

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<p><b>Application No.</b></p> <p>10/040,585</p>	<p><b>Applicant(s)</b></p> <p>BRAKE ET AL.</p>	
	<p><b>Examiner</b></p> <p>Kevin M. Gagliostro</p>	<p><b>Art Unit</b></p> <p>2615</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/4/2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/4/2002</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Title Objections*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "A Camera Function Embodying a Programmable Alarm Clock."

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for rejections under this section made in this office action:

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-18 are 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,621,458 Mann et al.

Mann clearly shows all of the limitations recited in claim 1. See figures 1, 2, and 5 and all of the paragraphs cited within the specification. Referring to claim 1, Mann describes a camcorder comprising a camera body (figure 1). To those familiar to the art it is known that a camcorder is a camera /recorder combination which is a camera that records on videotape. Mann also describes an alarm clock that is operably associated with said camera body (column 6, lines 5-9) and (figure 5). Note that an alarm clock is commonly known as an audible feature that reminds the user of a "time specific event." Mann describes a real time clock (RTC), which is utilized by algorithm to detect the coincidence with the desired time, otherwise known as "time specific event." Upon coincidence, an "on time" or event occurrence signal is generated and the user determined function is activated (column 6, lines 5-9). Mann further describes that upon the occurrence of an event a message is generated on the display (figure 2, item 115) and is associated with an indicator (figure 2, item 107) that may be accompanied by an alerting audible beep (column 4, lines 3-6). All of the features described are commonly known features of an alarm clock.

Mann clearly shows clearly shows all of the limitations recited in claim 2. See figure 2 and all of the paragraphs cited within the specification. Referring to claim 2, Mann describes a camera of claim 1 wherein said alarm clock further comprises **at least one** output device selected from a group of output devices consisting of: a speaker, a strobe, a display, and a capture device. Specifically, Mann describes that upon

Art Unit: 2615

the occurrence of an event a message is generated on the display (figure 2, item 115) and is associated with an indicator (figure 2, item 107) that may be accompanied by an alerting audible beep (column 4, lines 3-6). It is common knowledge within the art, and even broader, that "audible" means a noise or sound capable of being heard. This sound is achieved through the use of transducers (speakers). Mann's description of this speaker comprises **at least one** of the output devices explained.

Mann clearly shows all of the limitations recited in claim 3. See figure 2 and all of the paragraphs cited within the specification. Referring to claim 3, Mann describes a camera of claim 1 wherein said alarm clock further comprises **at least two** output devices selected from a group of output devices consisting of: a speaker, a strobe, a display, and a capture device. Specifically, Mann describes that upon the occurrence of an event a message is generated on the display (figure 2, item 115). Mann's description of this display and the speaker of claim 2 comprise **at least two** of the output devices explained.

Mann clearly shows all of the limitations recited in claim 4. See figures 1 and 2, and all of the paragraphs cited within the specification. Referring to claim 4, Mann describes a camera of claim 1 wherein said alarm clock further comprises **at least three** output devices selected from a group of output devices consisting of: a speaker, a strobe, a display, and a capture device. Mann describes the camera of claim 1 wherein said output device further comprises said strobe. Note that it is common knowledge within the art that a strobe is a visual notification of a burst or flash of light. Mann describes that upon the occurrence of an event a message is generated on the display (figure 2, item 115) and is associated with an indicator which produce various colors of light (figure 2, item 107) and (column 4, lines 3-9). This light produced is comparable to that of a strobe or a flash. Mann's description of the speaker in claim 2, the display of claim 3, and this strobe comprise **at least three** of the output devices explained.

Mann clearly shows all of limitations recited in claim 5. See figure 2 and all of the paragraphs cited within the specification. Referring to claim 5, Mann describes a camera of claim 1 wherein said alarm clock further comprises **at least four** output devices selected from a group of output devices consisting of: a speaker, a strobe, a display, and a capture device. Note that it is common knowledge within the art that a capture device can comprise that of a camera. Also, note that a camcorder is a combination of a camera and a recording device. Mann describes the use of a capture device or camcorder (figure 1). Mann's description of the speaker in claim 2, the display of claim 3, the strobe of claim 4, and this capture device comprise **at least four** of the output devices explained.

Mann clearly shows all of the limitations recited in claim 6. See figure 2 and all of the paragraphs cited within the specification. Referring to claim 6, Mann describes a

Art Unit: 2615

camera of claim 2 wherein said output device further comprises said speaker. Specifically, Mann describes that upon the occurrence of an event a message is generated on the display (figure 2, item 115) and is associated with an indicator (figure 2, item 107) that may be accompanied by an alerting audible beep (column 4, lines 3-6). It is common knowledge within the art, and even broader, that "audible" means a noise or sound capable of being heard. This sound is achieved through the use of transducers (speakers).

Mann clearly shows all of the limitations recited in claim 7. See figure 2 and all of the paragraphs cited within the specification. Referring to claim 7, Mann describes the camera of claim 2 wherein said output device further comprises said strobe. Note that it is common knowledge within the art that a strobe is a visual notification of a burst or flash of light. Mann describes that upon the occurrence of an event a message is generated on the display (figure 2, item 115) and is associated with an indicator which produce various colors of light (figure 2, item 107) and (column 4, lines 3-9). This light produced is comparable to that of a strobe or a flash.

Mann clearly shows all of the limitations recited in claim 8. See figure 2 and all of the paragraphs cited within the specification. Referring to claim 8, Mann describes the camera of claim 2 wherein said output device further comprises said display. Specifically, Mann describes that upon the occurrence of an event a message is generated on the display (figure 2, item 115).

Mann clearly shows all of the limitations recited in claim 9. See figure 1 and all of the paragraphs cited within the specification. Referring to claim 9, Mann describes the camera of claim 2 (said alarm clock operably associated with said camera body) wherein said output device further comprises said capture device. Note that it is common knowledge within the art that a capture device can comprise that of a camera. Also, note that a camcorder is a combination of a camera and a recording device. Mann describes the use of a capture device or camcorder (figure 1). Also, further note that Mann describes an alarm clock that is operably associated with said camera body (column 6, lines 5-9) and (figure 5).

Mann clearly shows all of the limitations recited in claim 10. See figure 5 and all of the paragraphs cited within the specification. Referring to claim 10, Mann describes the camera of claim 1 further comprising **at least one** element operatively associated with said alarm clock selected from a group of elements consisting of a memory storage device, a photosensor array, a computer connector, a real time clock, an always-on portion, and a controller. Mann describes a real time clock (RTC) (figure 5, item 840) and (column 6, lines 21-30). Mann's description of a real time clock (RTC) further comprises **at least one** element operatively associated with said alarm clock.

Art Unit: 2615

Mann clearly shows all of the limitations recited in claim 11. See figure 5 and all of the paragraphs cited within the specification. Referring to claim 11, Mann describes the camera of claim 2 further comprising **at least one** element operatively associated with said alarm clock selected from a group of elements consisting of a memory storage device, a photosensor array, a computer connector, a real time clock, an always-on portion, and a controller. Mann describes a real time clock (RTC) (figure 5, item 840) and (column 6, lines 21-30). Mann's description of a real time clock (RTC) further comprises **at least one** element operatively associated with said alarm clock.

Mann clearly shows all of the limitations recited in claim 12. See all of the paragraphs cited within the specification. Referring to claim 12, Mann describes a method of providing notification of the occurrence of a time day, which comprises inputting data representative of selected time of day into a camera, and upon occurrence of said selected time of day a camera subsystem is actuated (column 2, lines 56-59 and column 6, lines 25-30). Specifically, Mann describes a real time clock (RTC), which is utilized by algorithm to detect the coincidence with the desired time. This desired time is a selected time that must be input by the user (comprised of data). Upon coincidence (desired time equals RTC), an "on time" or event occurrence signal is generated and the user determined function or camera subsystem is activated (column 6, lines 5-9 and 25-30). An example of an actuated subsystem is message generated on the display (figure 2, item 115) and is associated with an indicator (figure 2, item 107) that may be accompanied by an alerting audible beep (column 4, lines 3-6).

Mann clearly shows clearly shows all of the limitations recited in claim 13. See figure 2 and all of the paragraphs cited within the specification. Referring to claim 13, Mann describes the method of claim 12 wherein actuating a camera subsystem comprises activating **at least one** output device selected from a group of output devices consisting of: a speaker, a strobe, a display, and a capture device. Specifically, Mann describes that upon the occurrence of an event, wherein a camera subsystem is actuated, a message is generated on the display (figure 2, item 115) and is associated with an indicator (figure 2, item 107) that may be accompanied by an alerting audible beep (column 4, lines 3-6). It is common knowledge within the art, and even broader, that "audible" means a noise or sound capable of being heard. This sound is achieved through the use of transducers (speakers). Mann's description of this speaker comprises **at least one** of the output devices explained.

Mann clearly shows clearly shows all of the limitations recited in claim 14. See figure 2 and all of the paragraphs cited within the specification. Referring to claim 14, Mann describes the method of claim 12 wherein actuating a camera subsystem comprises activating **at least two** output device selected from a group of output devices consisting of: a speaker, a strobe, a display, and a capture device.

Art Unit: 2615

Specifically, Mann describes that upon the occurrence of an event, wherein a camera subsystem is actuated, a message is generated on the display (figure 2, item 115). Mann's description of this display and the speaker of claim 13 comprise **at least two** of the output devices explained.

Mann clearly shows clearly shows all of the limitations recited in claim 15. See figure 3 and all of the paragraphs cited within the specification. Referring to claim 15, Mann describes the method of claim 12 further comprising storing data (user data) (figure 3, item 126) utilized by said camera subsystem for notifying a user of the occurrence of said selected time of day.

Mann clearly shows all of the limitations recited in claim 16. See figures 1 and 2 and all of the paragraphs cited within the specification. Referring to claim 16, Mann describes the method of claim 12 wherein said inputting (data representative of selected time of day into a camera) comprises operating a camera control surface useable for controlling other camera functions. Specifically, Mann describes control system 100 (figure 2) as a control panel for coupling the camcorder that further comprises display 115 for controlling various modes of the camcorder (column 4, lines 59-63) and for inputting data representative of selected time of day (column 2, lines 56-59 and column 6, lines 25-30). Figure 1 shows the camcorder attached to the control system 100. With that said, the two units together formulate a working unit that consists of said camera control unit with a surface useable for controlling other camera functions.

Mann clearly shows all of the limitations recited in claim 17. See figures 1, 2, and 5 and all of the paragraphs cited within the specification. Referring to claim 17, Mann describes a camcorder comprising a camera body (figure 1). To those familiar to the art it is known that a camcorder is a camera /recorder combination which is a camera that records on videotape. Mann also describes an alarm clock that is operably associated with said camera body or housing (column 6, lines 5-9) and (figure 5). Mann further describes that upon the occurrence of an event, associated with the alarm clock, a message is generated on the camera's display or an image assembly (figure 2, item 115), all of which are part of the camera's housing.

Mann clearly shows all of the limitations recited in claim 18. See figure 1 and 2 and all of the paragraphs cited within the specification. Referring to claim 18, Mann describes a camera comprising a means for capturing an image of an object, which is commonly known as basic function of the camera as it is an image capture device. Note that it is common knowledge within the art that a camcorder (figure 1) is an image capture device. Mann further describes a camera/camcorder with a means for selecting a time of day through the use of an algorithm to detect the coincidence of a real time clock (RTC) with the desired time. This desired time is a selected time that must be input by the user (comprised of data). Upon coincidence (desired time equals RTC), an "on time" or event occurrence signal is generated and the user

Art Unit: 2615

determined function or camera subsystem is activated (column 6, lines 25-30). An example of an actuated subsystem is message generated on the display (figure 2, item 115) and is associated with an indicator (figure 2, item 107) that may be accompanied by an alerting audible beep (column 4, lines 3-6).

### ***Conclusion***

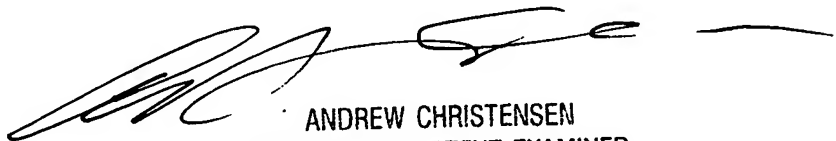
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Gagliostro whose telephone number is 703-308-6070. The examiner can normally be reached on 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin Gagliostro

12/09/2004



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